

THE HONORABLE MARSHA J. PECHMAN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MARCHEX SALES, INC.,

Plaintiff,

v.

ADMINISTRADORA DE MARCAS Y
FRANQUICIAS, S.A. DE C.V.,

Defendant.

No. 2:12-cv-02069-MJP

**MARCHEX SALES, INC.'S UNOPPOSED
MOTION TO EXTEND DEADLINES FOR
INITIAL DISCLOSURES, JOINT STATUS
REPORT AND EARLY SETTLEMENT**

NOTE ON MOTION CALENDAR:
January 22, 2013

Plaintiff Marchex Sales, Inc. ("Marchex") respectfully requests a six-month extension of the initial scheduling dates set forth in this Court's order dated January 3, 2013, so that it can complete service on defendant Administradora de Marcas y Franquicias, S.A. de C.V. ("Administradora"), a Mexican defendant, before the initial scheduling dates.

I. FACTS

On November 27, 2012, Marchex filed this lawsuit against Mexican defendant Administradora, seeking declaratory relief to establish that Marchex's registration and use of the domain name <priceshoes.com> is lawful under the Anticybersquatting Consumer Protection Act (15 U.S.C. § 1125(d)). Administradora is incorporated in Mexico and has its principal place of business in Mexico. Declaration of Katherine Heaton ("Heaton Dec.") ¶ 3.

1 Marchex has been unable to find any Administradora offices or agents in the United States.
2 Heaton Dec. ¶ 3.

3 On December 18, 2012, this Court granted Marchex's Motion to Appoint Special
4 Process Server, allowing Marchex to begin the process of serving Administradora in Mexico
5 under the Hague Convention on the Service Abroad of Judicial and Extra-Judicial Documents
6 in Civil and Commercial Matters, 20 U.S.T. 361, 658 U.N.T.S. 163, reprinted in 18 U.S.C.A.
7 following Fed. R. Civ. P. 4 (the "Hague Service Convention"). APS International, Ltd.
8 ("APS"), the special process server charged with serving Administradora in Mexico, has
9 advised defense counsel that it can take four to six months to serve a defendant in Mexico
10 under the Hague Service Convention. Heaton Dec. ¶ 4.

11 II. ARGUMENT

12 On January 3, 2013, this Court issued an Order Regarding Initial Disclosures, Joint
13 Status Report, and Early Settlement. Dkt. No. 12. This order sets the following deadlines: (1)
14 deadline for FRCP 26(f) Conference is 1/31/2013; (2) initial disclosures pursuant to FRCP
15 26(a)(1) is 2/7/2013; and (3) combined joint status report and discovery plan as required by
16 FRCP 26(f) and Local Civil Rule 26(f) is 2/14/2013.

17 Marchex has retained APS to assist with the task of serving Administradora with the
18 complaint and summons in this action. APS has advised Marchex that service in Mexico
19 usually takes four to six months. Heaton Dec. ¶ 4. Service has not yet been completed and
20 defendant has not yet appeared. Accordingly, Marchex seeks an order extending the initial
21 scheduling dates by six months, so that the defendant can be properly served.

22 III. CONCLUSION

23 For the foregoing reasons, Marchex respectfully requests the Court to extend the initial
24 scheduling dates by six months.

1 Respectfully submitted this 22nd day of January, 2013.

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3 s/ Stellman Keehnel

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